

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

RODNEY CHOATE, on behalf of the  
MRMC ESOP, and on behalf of a class of all  
other persons similarly situated,

Plaintiff,

v.

WILMINGTON TRUST, N.A., as successor  
to Wilmington Trust Retirement and  
Institutional Services Company,

Defendant.

Cons. Case No. 17-250-RGA

**PLAINTIFF'S MOTION FOR ATTORNEYS' FEES,  
COSTS AND SERVICE AWARD**

Plaintiff Rodney Choate, Individually and as Class Representative, presents his motion for an order approving Class Counsels' attorneys' fees and litigation costs and a Service Award to Plaintiff. The bases supporting this motion are set forth in the accompanying brief. A proposed Final Judgment and Order Approving Class Settlement and Dismissal With Prejudice, and including the requests for fees, costs and a service award, is attached as Exhibit A to Plaintiff's Motion for Final Approval of Class Action Settlement.

The Parties also request that, if the Standing Order in re: Court Operations Under the Exigent Circumstances Created by COVID-19 is amended such that it would impact the Final Fairness Hearing, that the Final Fairness Hearing be allowed to proceed telephonically on October 1, 2020, as currently scheduled.

Dated: August 17, 2020

/s/ David A. Felice

David A. Felice (#4090)  
Bailey & Glasser, LLP  
Red Clay Center at Little Falls  
2961 Centerville Road, Suite 302  
Wilmington, DE 19808  
Telephone: (302) 504-6333  
dfelice@baileyglasser.com

Gregory Y. Porter  
Ryan T. Jenny  
Patrick O. Muench  
Bailey & Glasser, LLP  
1055 Thomas Jefferson St., NW  
Suite 540  
Washington, DC 20007  
Telephone: (202) 463-2101  
gporter@baileyglasser.com  
rjenny@baileyglasser.com  
pmuench@baileyglasser.com

Daniel Feinberg (*pro hac vice*)  
Todd Jackson (*pro hac vice*)  
FEINBERG, JACKSON, WORTHMAN &  
WASOW LLP  
2030 Addison Street, Suite 500  
Berkeley, CA 94704  
Telephone: (510) 269-7998  
dan@feinbergjackson.com  
todd@feinbergjackson.com

*Attorneys for Plaintiff and the Class*